UNITED STATES DISTRICT COURT

for the
Western District of Texas

FILED
NOV 29 2010
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY FM
DEPUTY CLERK

United States of America
v.
ROBLES, Janelle Renee
Defendant

Case No. 10-6101 M

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of November 24, 2010 in the county of El Paso in the Western District of Texas, the defendant violated 21 U.S.C. § 841 (a) (1) and 952 (a), an offense described as follows:

knowingly and intentionally possess with intent to distribute approximately 60.40 pounds (gross weight) of Marijuana, a Schedule I controlled substance and unlawfully importing into the customs territory of the United States from any place outside thereof (i.e. Republic of Mexico) approximately 60.40 (gross weight) of Marijuana, a Schedule I controlled substance.

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT

☒ Continued on the attached sheet.

Complainant's signature

Ramon Carreon – ICE Special Agent
Printed Name and title

Sworn to before me and signed in my presence.

Date: November 29, 2010

Judge's signature

City and state: El Paso, Texas

Richard P. Mesa – U.S. Magistrate Judge
Printed name and title

AFFIDAVIT

On November 24, 2010, at approximately 4:25 p.m, Janelle Renee ROBLES entered the United States from the Republic of Mexico at the Ysleta Port of Entry, El Paso, Texas, located within the Western District of Texas. ROBLES was the driver and sole occupant of a 2003 Chevrolet Malibu displaying Texas plates BG7 Z343.

ROBLES approached primary inspection lane 10. Lane number 10 was being manned by United States Customs and Border Protection Officer (CBPO) Quinn, Boyle. CBPO Boyle stated that he asked ROBLES what was her citizenship, ROBLES stated United States citizen and provided a New Mexico drivers license as identification. ROBLES gave a negative declaration to CBPO Boyle. Officer Boyle asked ROBLES what was her purpose for her visit to Mexico, and ROBLES stated to visit her boyfriend. CBPO Boyle asked ROBLES if she had visited Mexico before, and ROBLES stated this was her first time. CBPO Boyle asked ROBLES how long her visit to Mexico was, and ROBLES stated since 9:00 Am this morning. CBPO Boyle asked ROBLES if the 2003 Chevrolet Malibu belong to her, and ROBLES stated yes; her uncle gave it to her. CBPO Boyle stated that ROBLES was avoiding eye contact and was very nervous during questioning. CBPO Boyle also stated that ROBLES was shaking while trying to look for more identification. CBPO Boyle referred the 2003 Chevrolet Malibu to secondary for a more intensive inspection.

CBPO Deyanira Morales was conducting secondary inspections at the Ysleta POE and obtained a second negative declaration from ROBLES. CBPO Morales asked ROBLES what was her purpose to Cd. Juarez, and ROBLES stated to visit her boyfriend. CBPO Morales asked ROBLES if she has visited Cd. Juarez before, and ROBLES stated no and that her boyfriend was going to be waiting across the bridge. CBPO Morales asked ROBLES if she was okay, and ROBLES stated she gets nervous around police officers. CBPO Morales asked ROBLES if she was responsible for the vehicle and everything in it, and ROBLES stated yes. CBPO Morales stated that ROBLES was nervous during questioning. CBPO Morales asked for a K-9 to conduct an inspection.

Canine Enforcement Officer (CEO) Gerardo Murillo, along with his Narcotics Detector Dog (NDD) "Darko" CG 15) conducted an examination of the vehicle. At that time, "Darko CG 15" responded to the rear tire and alerted positively to the odor of narcotics emitting from the vehicle by scratching.

Subsequent inspection of the vehicle revealed clear wrapped-taped bundles, wrapped in a rubber tire concealed in all four tires of the 2003 Chevrolet Malibu. One bundle was probed and a sample of a green leafy substance was extracted and field-tested by CBPO Boyle, which yielded a positive result for MARIJUANA. A total of 59 bundles were removed from the compartment with a total weight of 60.40 pounds (gross weight) of MARIJUANA.

United States Immigration and Customs Enforcement Special Agent (SA) Ramon Carreon and SA Time Gorman arrived at the Ysleta Port of Entry and began an investigation. SA Carreon read ROBLES her Miranda Statement of Rights in the English language. ROBLES acknowledged in writing that she understood her rights and she agreed to make a statement without the presence of an attorney.

ROBLES stated that she was at her friend LONNIE'S house last name unknown (LNU). ROBLES then stated that two males arrived and LONNIE introduced them to her as IVAN LNU and BOLLO LNU. ROBLES stated that they ask her if she wanted to go to El Paso, Texas, and she stated yes. Once in El Paso ROBLES stated that she and IVAN got into a white 4 door truck by the Harley Davidson store and inside the truck was an older unknown male. ROBLES stated that unknown male asked her she would drive a car over from Juarez, Mexico, and she stated yes. ROBLES stated she was to receive $100.00 to $200.00 for driving the vehicle to a gas station in the United States side. ROBLES stated she was to meet an unknown male wearing a grey shirt and a black baseball cap sitting on a green taxi cab bench. ROBLES stated she received the keys for the 2003 Chevrolet Malibu and drove the vehicle across.

ROBLES stated she believed there was a slim possibility that the vehicle was loaded with some type of drugs.

ROBLES provided a signed hand written statement describing his participation in the marijuana smuggling scheme.

I make this affidavit on the basis of my personal knowledge, as well as the basis of information furnished to me by other law enforcement officers.

FP&F number: 201024020007501
Carreon, Case Agent